

of the Forty-Third Legislature, Regular Session, or as amended by the Acts of the Forty-Third Legislature, Second Called Session; and declaring an emergency, and to supplement appropriations made by the Regular Session of the Forty-Third Legislature for the maintenance and administration of the judiciary.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the sum of Fifteen Hundred (\$1500.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to be used by the State Depository Board to pay rent for safety deposit boxes rented by the Board from any bank located in the City of Austin for the purpose of depositing securities, where such obligations for rent have been incurred by the State Depository Board pursuant to Article 2530, Revised Statutes of 1925, as amended by the Acts of the Forty-Third Legislature, Regular Session, or as amended by the Acts of the Forty-Third Legislature, Second Called Session.

Sec. 2. That there is hereby appropriated twenty-five thousand (\$25,000.00) Dollars out of funds heretofore appropriated for the purpose herein mentioned, for the judiciary for the comptroller's department for the fiscal year ending August 31, 1933 to supplement appropriations made by the Regular Session of the Forty-Third Legislature for the maintenance and administration of the judiciary, to pay fees and costs of sheriffs, attorneys, and clerks in felony cases, for the fiscal year ending August 31, 1934.

Sec. 3. The fact that the State Depository Board, acting pursuant to Article 2530, Revised Statutes of 1925, as amended by the Forty-Third Legislature, has incurred obligations for rent of safety deposit boxes for the purpose of depositing securities and that no appropriation of money has been made to provide funds for paying the obligations thus incurred by the State Depository Board and the fact that the appropriations made by the Regular Session of the Forty-Third Legislature for the fiscal year ending August 31, 1934 for the payment of fees and costs of sheriffs, attorneys and clerks in felony cases,

has become exhausted, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and said rule is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Senate Chamber,

Austin, Texas, Nov. 2, 1934.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee of the Whole Senate, to whom was referred S. B. No. 4, A bill to be entitled "An Act making appropriations for the establishment, maintenance and operation of the Texas Centennial for the period beginning November 1, 1934, and ending April 30, 1937, and for kindred and allied purposes."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the substitute in lieu thereof do pass and be printed.

WOODWARD, Chairman.

S. B. No. 4 was reported out of Committee of Whole by the following vote:

Yeas—19.

|           |           |
|-----------|-----------|
| Beck.     | Pace.     |
| Duggan.   | Parr.     |
| Greer.    | Patton.   |
| Holbrook. | Poage.    |
| Hopkins.  | Purl.     |
| Hornsby.  | Rawlings. |
| Martin.   | Small.    |
| Murphy.   | Stone.    |
| Neal.     | Woodul.   |
| Oneal.    |           |

Nays—9.

|           |             |
|-----------|-------------|
| Blackert. | Regan.      |
| Collie.   | Sanderford. |
| DeBerry.  | Woodruff.   |
| Moore.    | Woodward.   |
| Redditt.  |             |

Absent—Excused.

|          |           |
|----------|-----------|
| Cousins. | Fellbaum. |
|----------|-----------|

#### SEVENTEENTH DAY.

Senate Chamber,

Austin, Texas,

November 5, 1934.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll disclosed a quorum, the following Senators being present:

|           |             |
|-----------|-------------|
| Beck.     | Pace.       |
| Blackert. | Parr.       |
| Collie.   | Patton.     |
| Cousins.  | Poage.      |
| DeBerry.  | Purl.       |
| Duggan.   | Rawlings.   |
| Holbrook. | Redditt.    |
| Hopkins.  | Sanderford. |
| Hornsby.  | Small.      |
| Martin.   | Stone.      |
| Moore.    | Woodruff.   |
| Murphy.   | Woodul.     |
| Neal.     | Woodward.   |
| Oneal.    |             |

**Absent—Excused.**

|           |        |
|-----------|--------|
| Fellbaum. | Regan. |
| Greer.    |        |

Prayer by the Chaplain.

On motion of Senator Woodward, further reading of the Journal was dispensed with.

**Petitions and Memorials.**

(See Appendix.)

**Committee Reports.**

(See Appendix.)

**Bills and Resolutions.**

**Senate Bill No. 16.**

Senator Small sent up the following bill:

By Senator Small:

S. B. No. 16, A bill to be entitled "An Act amending Articles 7050, 7052, 7053, 7054, and Section 1, House Bill No. 514, Chapter 267, Acts Regular Session Forty-second Legislature, and amending paragraph (e), Section 2, Section 4, Section 5, Section 10 and Section 11 of House Bill No. 122, Chapter 116, Acts Regular Session, General Laws, Forty-third Legislature, and declaring an emergency."

Read and referred to the Committee on State Affairs.

**Motion to Concur.**

Senator Poage moved that the Senate do concur in House amendment to S. B. No. 10.

The motion prevailed by the following vote:

Yeas—25.

|           |             |
|-----------|-------------|
| Beck.     | Parr.       |
| Blackert. | Patton.     |
| Cousins.  | Poage.      |
| D. Berry. | Purl.       |
| Duggan.   | Rawlings.   |
| Holbrook. | Redditt.    |
| Hopkins.  | Sanderford. |
| Hornsby.  | Small.      |
| Moore.    | Stone.      |
| Murphy.   | Woodruff.   |
| Neal.     | Woodul.     |
| Oneal.    | Woodward.   |
| Pace.     |             |

Nays—1.

Collie.

**Absent.**

Martin.

**Absent—Excused.**

|           |        |
|-----------|--------|
| Fellbaum. | Regan. |
| Greer.    |        |

**Senate Bill No. 4.**

The Chair laid before the Senate in regular order S. B. No. 4.

S. B. No. 4, A bill to be entitled "An Act making appropriations for the establishment, maintenance and operation of the Texas Centennial for the period beginning November 1, 1934, and ending April 30, 1937, and for kindred and allied purposes."

**Point of Order.**

Senator Moore raised the point of order that S. B. No. 4 had not been on the Senators' desks twenty-four hours.

The Chair, Lieutenant Governor Edgar E. Witt, sustained the point of order.

**Motion to Suspend Rule.**

Senator Purl moved that the rule requiring bills to lie over twenty-four hours be suspended and S. B. No. 4 be taken up at this time.

Senator Moore moved to table the motion by Senator Purl.

Senator Moore withdrew his motion to table.

Senator Purl's motion to suspend the rule prevailed by the following vote:

Yeas—22.

|           |          |
|-----------|----------|
| Beck.     | Collie.  |
| Blackert. | Cousins. |

|           |             |
|-----------|-------------|
| Duggan.   | Poage.      |
| Holbrook. | Purl.       |
| Hornsby.  | Rawlings.   |
| Murphy.   | Sanderford. |
| Neal.     | Small.      |
| Oneal.    | Stone.      |
| Pace.     | Woodruff.   |
| Parr.     | Woodul.     |
| Patton.   | Woodward.   |

Nays—3.

|          |          |
|----------|----------|
| DeBerry. | Redditt. |
| Moore.   |          |

Absent.

|          |         |
|----------|---------|
| Hopkins. | Martin. |
|----------|---------|

Absent—Excused.

|           |        |
|-----------|--------|
| Fellbaum. | Regan. |
| Greer.    |        |

**House Bill No. 57.**

Senator Parr called up H. B. No. 57.

H. B. No. 57, A bill to be entitled "An Act to enable any county, one or more of the boundaries of which is coincident with any part of the international boundary between the United States and Mexico or any county contiguous to any county of such described class, to co-operate with the United States of America in the construction, maintenance and operation of flood control works and to permit any county of such described class, or classes, by resolution of the county commissioners court thereof; etc., and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

Senator Parr moved to suspend the constitutional rule requiring bills to be read on three several days and H. B. No. 57 was put on its second reading by the following vote:

Yeas—27.

|           |         |
|-----------|---------|
| Beck.     | Martin. |
| Blackert. | Moore.  |
| Collie.   | Murphy. |
| Cousins.  | Neal.   |
| DeBerry.  | Oneal.  |
| Duggan.   | Pace.   |
| Holbrook. | Parr.   |
| Hopkins.  | Patton. |
| Hornsby.  | Poage.  |

|             |           |
|-------------|-----------|
| Purl.       | Stone.    |
| Rawlings.   | Woodruff. |
| Redditt.    | Woodul.   |
| Sanderford. | Woodward. |
| Small.      |           |

Absent—Excused.

|           |        |
|-----------|--------|
| Fellbaum. | Regan. |
| Greer.    |        |

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 57 was put on its third reading and final passage by the following vote:

Yeas—27.

|           |             |
|-----------|-------------|
| Beck.     | Pace.       |
| Blackert. | Parr.       |
| Collie.   | Patton.     |
| Cousins.  | Poage.      |
| DeBerry.  | Purl.       |
| Duggan.   | Rawlings.   |
| Holbrook. | Redditt.    |
| Hopkins.  | Sanderford. |
| Hornsby.  | Small.      |
| Martin.   | Stone.      |
| Moore.    | Woodruff.   |
| Murphy.   | Woodul.     |
| Neal.     | Woodward.   |
| Oneal.    |             |

Absent—Excused.

|           |        |
|-----------|--------|
| Fellbaum. | Regan. |
| Greer.    |        |

Read third time and finally passed by the following vote:

Yeas—25.

|           |             |
|-----------|-------------|
| Beck.     | Parr.       |
| Blackert. | Patton.     |
| Cousins.  | Poage.      |
| Duggan.   | Purl.       |
| Holbrook. | Rawlings.   |
| Hopkins.  | Redditt.    |
| Hornsby.  | Sanderford. |
| Martin.   | Small.      |
| Moore.    | Stone.      |
| Murphy.   | Woodruff.   |
| Neal.     | Woodul.     |
| Oneal.    | Woodward.   |
| Pace.     |             |

Present—Not Voting.

|         |          |
|---------|----------|
| Collie. | DeBerry. |
|---------|----------|

Absent—Excused.

|           |        |
|-----------|--------|
| Fellbaum. | Regan. |
| Greer.    |        |

**House Bill No. 6.**

Senator Poage moved that the Senate grant the request of the House that conferees consider further the differences between the two Houses on H. B. No. 6.

The motion prevailed by viva voce vote.

**House Bill No. 7.**

Senator Rawlings sent up the following Conference Committee report on H. B. No. 7:

Committee Room,

Austin, Texas, Nov. 5, 1934.

Hon. Edgar E. Witt, President of the Senate, and

Hon. Coke R. Stevenson, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the House and Senate on H. B. No. 7, beg leave to submit the following report:

We have had H. B. No. 7 under consideration, and recommend the adoption of the attached bill.

RAWLINGS,  
SANDERFORD,  
REDDITT,  
DUGGAN,

On the part of the Senate.

GREATHOUSE,  
HYDER,  
ALSUP,  
CHASTAIN,  
POPE,

On the part of the House.

**A BILL****To Be Entitled**

An Act for the purpose of releasing the interest and penalties on all delinquent ad valorem and poll taxes that were delinquent on or before August 1, 1934, due the State, any county, city, school district, road district, levee improvement district, water improvement district and water control and improvement district, irrigation district and other defined subdivisions of the State, provided same are paid before March 15, 1935; provided said taxes are paid on or after March 15, 1935 and before April 1, 1935, with an addition of two per cent (2%) on said taxes; and provided said taxes are paid on or after April 1, 1935, and before May 1, 1935, with an addi-

tion of three per cent (3%) on said taxes; provided said taxes are paid on or after May 1, 1935, and before June 1, 1935, with an addition of four per cent (4%) on said taxes; provided said taxes are paid on or after June 1, 1935, and before July 1, 1935, with an addition of five per cent (5%) on said taxes; provided said taxes are paid on or after July 1, 1935, with an addition of eight per cent (8%) penalty on said taxes, and six per cent (6%) per annum interest on said taxes, on and from July 1, 1935, until paid; providing for penalties; and provided that cities, towns, villages, special school districts and independent school districts are excepted from the provisions of this Act after March 15, 1935, on certain conditions; providing that anyone desiring to pay at one time all delinquent taxes for any one (1) year or more, may so pay without paying other delinquent taxes on the same; providing that all laws in conflict with this Act are expressly suspended during the term of this Act; providing for filing and prosecuting suits and the release of costs; providing that if any section, clause, sentence, paragraph or part of the Act be adjudged to be invalid by any court of final or competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of the Act; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That all interest and penalties that have accrued on all ad valorem and poll taxes that were delinquent on or before August 1, 1934, due the State or any county, city, school district, road district, levee improvement district, water improvement district and water control and improvement district, irrigation district and other defined subdivisions of the State, shall be, and the same are hereby released, provided said ad valorem and poll taxes are paid on or before March 15, 1935.

Sec. 2. That all interest and penalties that have accrued on all ad valorem and poll taxes that were delinquent on or before August 1, 1934, and not paid under the provi-

sions of Section 1 of this Act, due to the State or any county, common school district, road district, levee improvement district, water improvement district, water control and improvement district, irrigation district and other defined subdivisions of the State (except such cities, towns, villages, special school districts and independent school districts which do not adopt the provisions of this section) shall be and the same are hereby released, provided said ad valorem and poll taxes are paid after March 15, 1935, and before April 1, 1935, with an addition of two per cent penalty on said taxes; and the same shall be and are hereby released provided said taxes are paid during the month of April, 1935, with an addition of three per cent penalty on said taxes; and the same shall be and are hereby released provided said ad valorem and poll taxes are paid during the month of May, 1935, with an addition of four per cent penalty on said taxes; and the same shall be and are hereby released provided said ad valorem and poll taxes are paid during the month of June, 1935, with an addition of five per cent penalty on said taxes; and the same shall be and are hereby released provided said ad valorem and poll taxes are paid after June 30, 1935, with an addition of eight per cent penalty on said taxes, together with interest on said taxes at the rate of six per cent per annum, on and from July 1, 1935; but it is especially provided that the penalties herein provided for shall not be cumulative.

It is provided that the provisions of Section 2 hereof shall not apply to cities, towns, villages, special school districts and independent school districts unless and until the governing body of any such city, town, village, special school district or independent school district finds that unusual or excessive default in the payment of ad valorem or poll taxes has occurred, and that an extension of time for the payment of such delinquent ad valorem and poll taxes will promote and accelerate the collection thereof, whereupon such governing body shall adopt a resolution or ordinance evidencing such findings and upon the recording of such findings of fact, the provisions of this Act shall be in full force and

effect as to any such city, town, village, special school district or independent school district.

It is hereby expressly and specifically provided that the penalties and interests herein released are released only on delinquent ad valorem and poll taxes and on no other taxes.

Sec. 3. Nothing contained in Sections 1 and 2 of this Act shall be construed as postponing, delaying or extending the time for the payment of delinquent taxes covered by this Act, nor as prohibiting, postponing or delaying the filing or the prosecution of any suits for the enforced collection of the same; provided that all interest and penalties shall be released as provided in Sections 1 and 2 hereof; and provided no additional costs shall be charged against anyone who shall pay his taxes under the provisions hereof.

Sec. 4. Any person, firm, association of persons or corporation desiring to pay at one time all delinquent ad valorem and poll taxes owed by such person, firm, association of persons or corporation, for any one (1) year or for any number of years, shall have the right to pay same under the provisions of this Act without at the same time paying any other taxes that may be delinquent upon the same property.

Sec. 5. All laws and parts of laws in conflict with the provisions of this Act are hereby expressly suspended during the term of this Act, insofar as the same are in conflict with the provisions hereof.

Sec. 6. It is further provided that in case any section, clause, sentence, paragraph or part of this Act shall for any reason be adjudged by any court of competent or final jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Act, but shall be confined in its operation to the section, clause, sentence, paragraph or part thereof, directly involved in the controversy in which said judgment shall have been rendered.

Sec. 7. The fact that millions of dollars in taxes are now due and have been due to the State and its subdivisions for many years past by people who would meet their obligations to the State Government if the heavy costs and penalties and interests were remitted, creates an emergency and an imperative public

necessity demanding that the Constitutional Rule which requires all bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and said Act shall take effect and be in force from and after its passage; and it is so enacted.

#### Motion to Adopt Report.

Senator Rawlings moved the adoption of the Conference Committee Report on H. B. No. 7.

#### Substitute Motion.

Senator Pace moved as a substitute that the Conference Committee Report on H. B. No. 7 be printed in the Journal before consideration.

#### Motion to Table.

Senator DeBerry moved to table the substitute motion.

The motion to table lost by the following vote:

#### Yeas—11.

|          |             |
|----------|-------------|
| Collie.  | Parr.       |
| Cousins. | Patton.     |
| DeBerry. | Rawlings.   |
| Duggan.  | Sanderford. |
| Hornsby. | Stone.      |
| Neal.    |             |

#### Nays—12.

|           |           |
|-----------|-----------|
| Beck.     | Poage.    |
| Holbrook. | Purl.     |
| Moore.    | Small.    |
| Murphy.   | Woodruff. |
| Oneal.    | Woodul.   |
| Pace.     | Woodward. |

#### Absent.

|           |         |
|-----------|---------|
| Blackert. | Martin. |
| Hopkins.  |         |

#### Absent—Excused.

|           |        |
|-----------|--------|
| Fellbaum. | Regan. |
|-----------|--------|

#### (Pair Recorded.)

Senator Redditt (present) who would vote yea, with Senator Greer (absent) who would vote nay.

#### Motion to Print.

The motion by Senator Pace to print in the Journal prevailed by the following vote:

#### Yeas—12.

|           |           |
|-----------|-----------|
| Beck.     | Poage.    |
| Holbrook. | Purl.     |
| Moore.    | Small.    |
| Murphy.   | Woodruff. |
| Oneal.    | Woodul.   |
| Pace.     | Woodward. |

#### Nays—11.

|          |             |
|----------|-------------|
| Collie.  | Parr.       |
| Cousins. | Patton.     |
| DeBerry. | Rawlings.   |
| Duggan.  | Sanderford. |
| Hornsby. | Stone.      |
| Neal.    |             |

#### Absent.

Hopkins.

#### Absent—Excused.

|           |        |
|-----------|--------|
| Fellbaum. | Regan. |
|-----------|--------|

#### (Pairs Recorded.)

Senator Redditt (present) who would vote nay, with Senator Greer (absent) who would vote yea.

Senator Blackert (present) who would vote yea, with Senator Martin (absent) who would vote nay.

#### Senate Bill No. 4.

The question recurred on motion of Senator Purl to suspend the rules and take up S. B. No. 4.

#### Motion to Adopt Committee Substitute.

Senator Purl moved to adopt the committee substitute for S. B. No. 4.

The substitute was adopted by a viva voce vote.

Senator Purl sent up the following amendment to C. S. S. B. No. 4:

Amend Section 1, Committee Substitute Senate Bill No. 4, by adding after the word "fund" where it first appears in said section the following: "or so much of Five Million Dollars (\$5,000,00.00) as may be accumulated in said fund from taxes collected by the State."

ONEAL,  
PURL.

The amendment was read.

Senator Neal moved to table the amendment.

Senator Neal withdrew her motion to table.

The amendment was adopted by viva voce vote.

Senator Oneal sent up the following amendment:

Amend Committee Substitute Senate Bill No. 4 by adding immediately after the word "Centennial" where it appears the second time in Section 1, the following: "Exposition and for patriotic celebrations during said Centennial Year."

ONEAL.

Read and adopted by viva voce vote.

Senator Stone sent up the following amendment:

Amend the Committee Substitute for Senate Bill No. 4 by striking out the word "Brenham" in lines 46 and 47 on Page 9, and inserting the following: "Washington County" in lieu thereof.

STONE.

The amendment was read and adopted.

Senator Beck sent up the following amendment to C. S. S. B. No. 4:

Amend C. S. S. B. No. 4 by adding after "Young County," Section 3, "Bowie County."

BECK.

#### Conference Committee Appointed.

The Chair, Lieutenant Governor Edgar E. Witt, appointed the following conferees on the part of the Senate on S. B. No. 2:

Senators Hornsby, Hopkins, Woodward, Small and Moore.

#### Senators Excused.

Senators Greer and Regan were excused for the day on account of important business on motion of Senator Moore.

#### Executive Session.

At 12:00 o'clock noon, Senator Sanderford moved that the Senate do now go into executive session.

The motion prevailed and the chamber was cleared and the doors locked.

#### After Executive Session.

The Secretary of the Senate informed the Journal Clerk that the Governor's appointee had been confirmed.

#### Recess.

On motion of Senator Moore, the Senate, at 12:15 o'clock p. m., recessed until 2:00 o'clock p. m.

#### After Recess.

The Senate met at 2:00 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

#### Senate Bill No. 17.

Senator Poage asked unanimous consent to send up the following bill:

By Senator Poage:

S. B. No. 17, A bill to be entitled "An Act releasing certain interest and penalties to the extent of fifty dollars (\$50.00) due on all ad valorem and poll taxes delinquent on or before August 1, 1934, if paid on or before certain dates and with certain penalties; repealing conflicting laws; limiting the scope of such release to certain taxes; and declaring an emergency."

S. B. No. 17 was read and referred to the Committee on State Affairs.

#### At Ease.

Senator Woodul moved that the Senate suspend regular business and stand at ease for 15 minutes.

The motion prevailed by the following vote:

#### Yeas—23.

|           |             |
|-----------|-------------|
| Beck.     | Parr.       |
| Blackert. | Patton.     |
| Collie.   | Poage.      |
| Cousins.  | Rawlings.   |
| DeBerry.  | Redditt.    |
| Duggan.   | Sanderford. |
| Holbrook. | Small.      |
| Moore.    | Stone.      |
| Murphy.   | Woodruff.   |
| Neal.     | Woodul.     |
| Oneal.    | Woodward.   |
| Pace.     |             |

#### Nays—1.

Hornsby.

#### Absent.

|          |       |
|----------|-------|
| Hopkins. | Purl. |
| Martin.  |       |

#### Absent—Excused.

|           |        |
|-----------|--------|
| Fellbaum. | Regan. |
| Greer.    |        |

#### Senate Resolution No. 12.

Senator Redditt sent up the following resolution:

Whereas, Honorable Martin Dies, Congressman of the Second District of Texas is within the Senate Chamber; and

Whereas, It is fitting that he be accorded the privileges of the floor while here; now, therefore be it

Resolved by the Senate, That said Congressman Martin Dies be, and he is hereby granted the privileges of the floor of the Senate while in the City of Austin, and that he be invited to address the Senate.

NEAL,  
COUSINS,  
WOODUL,  
PACE,  
REDDITT.

The resolution was read and adopted unanimously.

The Chair, Lieutenant Governor Edgar E. Witt, appointed Senator Neal and Senator Redditt to escort Congressman Dies to the platform when he addresses the Senate tomorrow.

#### Senate Bill No. 4.

Recurring business was S. B. No. 4.

#### Points of Order.

Senator Moore raised the point of order that only one Senator could have the floor.

The Chair, Senator Hornsby, presiding, sustained the point of order.

Senator Moore raised the point of order that Senator Beck had the floor.

The Chair, Senator Hornsby, overruled the point of order.

Senator Beck withdrew his amendment.

Senator Woodul asked unanimous consent to send up the following amendment:

Amend pending bill, page 9 of printed copy, by eliminating the word "Houston" in line 48, and inserting in lieu thereof the words "Harris County."

WOODUL.

Senator DeBerry sent up the following substitute for the Woodul amendment:

Amend Committee Substitute to Senate Bill No. 4, Section 3, by striking out all of lines 46, 47, 48, 49, 50, 51, 52, 53, 54, and 55, and adding in lieu thereof the following

language: "San Antonio, Houston, Goliad, Brenham, Nacogdoches, Huntsville, and other like places identified with early Texas history, the character and extent thereof to be dependent in part on the local support provided."

DeBERRY.

Senator Woodul withdrew his amendment.

Senator DeBerry withdrew his substitute.

Senator Oneal sent up the following amendment:

Amend Committee Substitute Senate Bill No. 4 by adding at the end of Section 3 and as separate paragraphs thereof the following:

Within the term "celebration" as used in this section with reference to all places herein named, except the cities of Dallas and Fort Worth, is included the following: the placing of suitable markers of places where historic events occurred; the restoring at no great expense of all or of parts of old houses, forts, and other old structures connected with the history of the territory now embraced in the State of Texas; the placing at no great expense of monuments to early patriots of Texas if such monuments have not heretofore been erected; the purchasing at no great expense of small tracts of land where necessary for the restorations herein mentioned, or for the monuments mentioned; and pageants at the places mentioned; provided that in the matter of pageants the Texas Centennial Commission shall require a contribution by each local community which shall be substantial and proportionate to the amount allowed by the commission.

Notwithstanding the other provisions of this Act, the commission shall not have the authority arbitrarily to refuse to allocate for the purposes of Centennial Celebration funds to any place designated in this section, but in case of refusal of such allocation to any such place must file its written report of reasons with the Advisory Board of Texas Historians provided for in Section 5 of this Act, and this report shall be a public record open for inspection.

ONEAL.

#### Point of Order.

Senator DeBerry raised the point of order that the authors of the bill



had not completed their corrective amendments.

The Chair, Senator Hornsby, presiding, sustained the point of order.

Senator Oneal withdrew his amendment.

Senator Purl sent up the following amendments:

Amend Committee Substitute to S. B. No. 4 by adding the following: Add "County" after word "Bowie," line 46, also striking out "Houston" and insert "Harris County."

PURL.

Senator Woodruff moved to table the Purl amendments.

The motion to table lost by viva voce vote.

The amendment was adopted by viva voce vote.

Senator Purl sent up the following amendments to C. S. S. B. No. 4:

Amend C. S. S. B. No. 4 by striking out the word "Columbus" in line 47.

PURL.

The amendment was adopted.

Amend S. B. No. 4, Page 9, Sec. 3, line 48, by adding after the word "Goliad" the word "County."

PURL.

Read and adopted.

Amend S. B. No. 4, Page 9, Sec. 3, line 50, by adding after the word "Refugio" the word "County."

PURL.

Read and adopted.

Amend S. B. No. 4, Page 9, line 52, by adding after the word "Patricio" the word "County."

PURL.

Read and adopted.

Amend S. B. No. 4, Page 9, Sec. 3, line 53, by adding after the word "Victoria" the word "County."

PURL.

Read and adopted.

Senator Woodruff sent up the following amendment:

Amend C. S. S. B. No. 4 by striking out all of Section 3 after the word "Texas" in line 42, page 9.

WOODRUFF,  
SMALL.

Senator Rawlings sent up the following amendment as a substitute to the amendment by Senators Woodruff and Small to C. S. S. B. No. 4:

Amend Senate Bill No. 4, page 9, by striking out beginning with the period after the word "Texas" down to and including the word "county" in line 55, and insert in lieu thereof the following: "and such other places as the Centennial Commission may find to be practical, feasible, and accessible, such places having such historical or industrial significance as may justify the holding of a celebration. The Centennial Commission in passing on the application of any locality for a celebration shall take into consideration the accessibility and local facilities of said place, and its financial ability to contribute local funds. The authority to determine these questions is hereby delegated to said commission."

RAWLINGS.

The substitute was read.

Senator Rawlings withdrew his substitute amendment.

Senator DeBerry sent up the following amendment as a substitute for the Woodruff amendment:

Amend C. S. S. B. No. 4, Sec. 3, by striking out all of lines 46, 47, 48, 49, 50, 51, 52, 53, 54, and 55, and adding in lieu thereof the following language: "San Antonio, Houston, Goliad, Brenham, Nacogdoches, Huntsville and other like places identified with early Texas history, the character and extent thereof to be dependent in part on the local support provided."

DeBERRY.

Senator Purl moved to table the amendment and the substitute to C. S. S. B. No. 4.

The motion to table prevailed by the following vote:

Yeas—18.

|           |           |
|-----------|-----------|
| Beck.     | Pace.     |
| Blackert. | Parr.     |
| Collie.   | Patton.   |
| Duggan.   | Poage.    |
| Holbrook. | Purl.     |
| Hopkins.  | Rawlings. |
| Hornsby.  | Redditt.  |
| Neal.     | Stone.    |
| Oneal.    | Woodul.   |

Nays—5.

|          |             |
|----------|-------------|
| DeBerry. | Sanderford. |
| Moore.   | Woodruff.   |
| Murphy.  |             |

**Absent.**

Cousins.

**Absent—Excused.**Fellbaum.  
Greer.Martin.  
Regan.**(Pair Recorded.)**

Senator Small (present) who would vote nay, with Senator Woodward (absent) who would vote yea.

Senator Woodruff sent up the following amendment:

Amend C. S. S. B. No. 4 by striking out in line 17, page 9, Section 1, the following: "Five Million Dollars (\$5,000,000.00)" and inserting in lieu thereof the following: "Three Million Dollars (\$3,000,000.00)."

**WOODRUFF.****Point of Order.**

Senator Purl raised a point of order that the amendment was not correctly drawn, in that it failed to properly allocate the funds to be appropriated.

The Chair overruled the point of order.

Senator Moore sent up a substitute amendment for the amendment by Senator Woodruff:

Amend Substitute to S. B. No. 4 as follows:

By striking out the words and figures "five million (\$5,000,000.00) dollars" wherever they appear in the bill and substitute in lieu thereof the words and figures one million (\$1,000,000.00) dollars," and reduce specific amounts named in other sections of the bill proportionately.

**MOORE.**

Senator Woodruff yielded the floor for the reading of a corrective amendment sent up by Senator Rawlings:

Amend Senate Bill No. 4, page 9, by adding after the word "county" in line 55, the following "and such other places as the Centennial Commission may find to be practical, feasible, and accessible, such places having such historical or industrial significance as may justify the holding of a celebration. The Centennial Commission in passing on the application of any locality for a celebration shall take into consideration the accessibility and local facilities

of said place, and its financial ability to contribute local funds. The authority to determine these questions is hereby delegated to said commission."

**RAWLINGS.**

Read and adopted.

Senator Purl sent up the following amendment:

Amend S. B. No. 4, line 48, Sec. 3, by adding between the word "Gonzales" and semicolon, the word "County."

**HOPKINS,  
PURL.**

Read and adopted.

Senator Patton sent up the following amendment:

Amend Sec. 3, line 47, by striking out the word "Crockett" and inserting in lieu thereof the words "Houston County."

**PATTON,  
PURL.**

Read and adopted.

Senator Small sent up the following amendment:

Amend C. S. S. B. No. 4 as follows: In line 46, Sec. No. 3, strike out the word "Amarillo" and insert the words "Randall County."

**SMALL.**

The amendment was read and adopted.

Amend C. S. S. B. No. 4 by striking out "Palestine" and insert in lieu thereof "Anderson County."

**HOLBROOK.**

Read and adopted.

**Motion to Concur.**

Senator Holbrook moved that the Senate do concur in House amendments to S. C. R. No. 7.

The motion to concur prevailed by viva voce vote.

**Bill and Resolution Signed.**

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bill and resolution:

H. B. No. 57.      S. C. R. No. 7.

**Messages from the House.**

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,  
Austin, Texas, Nov. 5, 1934.  
Hon. Edgar E. Witt, President of the  
Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill and resolution:

H. B. No. 57, A bill to be entitled "An Act to enable any county, one or more of the boundaries of which is coincident with any part of the international boundary between the United States and Mexico or any county contiguous to any county of such described class, to co-operate with the United States of America in the construction, maintenance and operation of flood control works and to permit any county of such described class, or classes, by resolution of the county commissioners court thereof; etc., and declaring an emergency."

H. C. R. No. 5, Adjourning sine die, 12:00 noon, Saturday, November 10, 1934.

The House has reconsidered the vote by which the conference report on H. B. No. 7 was adopted by a viva voce vote. The House has refused to adopt the Conference Committee report on H. B. No. 7 and requested the Conference Committees to consider further the differences between the two houses.

The House has refused by a viva voce vote to adopt the Conference Committee report on H. B. No. 6 and requested the Conference Committees to consider further the differences between the two houses.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, Nov. 5, 1934.  
Hon. Edgar E. Witt, President of the  
Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

S. C. R. No. 7, Empowering and authorizing the Board of Control to enter into negotiations with any of the agencies of the Federal Government, etc.

(With amendments.)

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

Hall of the House of Representatives.  
Austin, Texas, Nov. 5, 1934.  
Hon. Edgar E. Witt, President of the  
Senate.

Sir: I am directed by the House to inform the Senate that the House has granted the request of the Senate for the appointment of a Conference Committee to consider the differences between the two Houses on S. B. No. 2. The following are conferees on the part of the House:

Engelhard, Graves, Moore, Jones of Runnels, Latham.

The House has adopted the Conference Committee report on H. B. No. 7 by a vote of 108 yeas, 3 nays.

The House has passed the following bill:

H. B. No. 39, A bill to be entitled "An Act authorizing independent, consolidated, or common school districts to build or purchase buildings and grounds for the purpose of constructing gymnasia, stadia, or other recreational facilities, and to encumber the same and the income thereof to secure the payment of the purchase price to evidence the indebtedness created thereby by the issuance of bonds, notes, or other evidences of indebtedness; providing that the purchaser shall have a franchise to operate same in case of foreclosure; providing that such obligations shall never be a debt of such school district; providing that such projects shall be deemed self-liquidating in character; etc., and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

Hall of the House of Representatives.  
Austin, Texas, Nov. 5, 1934.  
Hon. Edgar E. Witt, President of the  
Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 9, A bill to be entitled "An Act for procuring Federal funds to provide work for the relief of the unemployed persons of Texas; authorizing the State Highway Commission as defined herein, to construct toll bridges and approaches thereto on State highways with funds procured from the United States Government, its agencies and instrumentalities, through loans and grants, either or both, to operate and maintain said bridges and in refer-

ence to each such bridge to issue and to deliver to the United States Government, its agencies and instrumentalities, interest-bearing securities, bearing four per cent (4%) interest, with provisions for registration as to ownership; etc., and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

#### Bills Referred.

H. B. No. 57, referred to the Committee on State Affairs.

H. B. No. 9, referred to the Committee on State Affairs.

H. B. No. 39, referred to the Committee on State Affairs.

#### Motion to Recess.

Senator Woodruff moved that the Senate recess until 8:00 o'clock tonight.

The motion was lost by viva voce vote.

#### Recess.

Senator Woodruff moved that the Senate recess until 9:30 o'clock a. m., Tuesday.

The motion was lost by a viva voce vote.

Senator Woodruff moved that the Senate recess until 10:00 o'clock, Tuesday morning.

The motion prevailed by the following vote:

Yeas—13.

|          |             |
|----------|-------------|
| Beck.    | Patton.     |
| Collie.  | Rawlings.   |
| Cousins. | Redditt.    |
| DeBerry. | Small.      |
| Duggan.  | Sanderford. |
| Moore.   | Woodruff.   |
| Parr.    |             |

Nays—12.

|           |         |
|-----------|---------|
| Blackert. | Oneal.  |
| Holbrook. | Pace.   |
| Hopkins.  | Poage.  |
| Hornsby.  | Purl.   |
| Murphy.   | Stone.  |
| Neal.     | Woodul. |

Absent—Excused.

|           |           |
|-----------|-----------|
| Fellbaum. | Regan.    |
| Greer.    | Woodward. |
| Martin.   |           |

#### APPENDIX.

##### Petitions and Memorials.

(Telegram.)

Texarkana, Texas, Nov. 2, 1934.

President of the Senate,

Austin, Texas.

The Rotarians of Texarkana approve of an adequate Texas Centennial appropriations to the end that the State may make a creditable showing in the anniversary celebration. Funds to be so allocated to prevent useless and wasteful distribution.

TEXARKANA ROTARY CLUB,

E. Lee Tucker, President.

State Board of Control.

Austin, Texas, Nov. 1, 1934.

Honorable Edgar E. Witt,

Lieutenant Governor and President of the Senate,

Austin, Texas.

Dear Mr. Witt:

This Board just received yesterday the financial statements and revenue estimates affecting the General Revenue Fund for the next appropriation biennium which the Uniform Budget Act provides shall be made by the State Auditor. The statement shows an estimated deficit at August 31, 1935, of \$9,443,822.89 in said fund. It further shows that there will be available in this fund for specific appropriations only \$9,015,094.86 for 1936 and \$17,757,293.50 for 1937. The Auditor's estimated amounts available include one-half of all cigarette tax revenue for each of said years. If the next Legislature should continue the policy of the present Legislature and again give all cigarette tax revenue to the Available School Fund then these available amounts will be approximately \$2,032,000.00 per year less than herein shown, or only \$6,983,094.86 will be available for the first year and only \$15,725,293.50 available for the second year.

These estimates have not taken into consideration any appropriations

which will be made by the present special session.

The condition indicated by the figures is information which this Board believes should be given to the Legislature. Accordingly, a photostatic copy of page 7 of the Auditor's

statement showing these figures is attached.

Very respectfully submitted,  
STATE BOARD OF CONTROL,  
Claude D. Teer, Chairman.  
Jno. F. Wallace, Member.  
Henry C. Meyer, Member.

Exhibit C.

### GENERAL REVENUE FUND.

Estimate of Funds Available for Specific Appropriations for the Fiscal Years Ending August 31, 1936 and 1937.

|  | Years Ending August 31, |                 |
|--|-------------------------|-----------------|
|  | 1936.                   | 1937.           |
| Revenues estimated under laws existing October 1, 1934 (Per Schedule 2).....   | \$22,128,500.00         | \$21,959,500.00 |
| Deduct:  |                         |                 |
| Deficit at August 31, 1935.....  | 9,443,822.89            |                 |
| Estimated Revenues to be allocated to Relief Bond Sinking Funds (all four series) .....  | 2,773,841.25            | 2,791,465.50    |
| Estimated expenses, per diem, and mileage of Forty-fourth and Forty-fifth Legislatures .....   | 250,000.00              | 750,000.00      |
| Maturing interest on State bonds owned by permanent funds of State institutions (Less \$14,350.00 due eleemosynary funds which will be transferred to General Revenue Fund)..... | 125,741.00              | 125,741.00      |
| Amounts included in revenues expected to be appropriated to the departments and institutions collecting the funds .....  | 520,000.00              | 535,000.00      |
| Total Deductions .....   | \$13,113,405.14         | \$ 4,202,206.50 |
| Amounts subject to specific appropriations other than for expenses of the Legislature and interest and principal maturities on all bonds of the State of Texas.....              | \$ 9,015,094.86         | \$17,757,293.50 |

### LIONS CLUB

Austin, Texas, Nov. 1, 1934.  
Hon. Lieut. Gov. Edgar Witt  
C/o State Senate  
Austin, Texas

Dear Mr. Witt:

Enclosed please find a resolution which the Austin Lions Club passed at its last regular meeting Thursday, October 25, which we trust you will give due consideration.

Yours very truly,

AUSTIN LIONS CLUB,  
BOB J. LYLES,  
Secretary.

Whereas, The year 1936 will mark the one hundredth anniversary of the independence of Texas, and it has been proposed that a statewide celebration be held and all nations

invited to join the State in commemorating one hundred years of history, romance and achievement; and

Whereas, It is the belief of the Austin Lions Club that such a celebration, properly carried out, will eventually mean:

1. Less unemployment in Texas;
2. A statewide revival of business;
3. The acquainting of the people of the United States and of foreign countries with the State of Texas, its climate, resources and advantages;
4. The location of many new businesses in Texas;
5. A tremendous addition to the population of Texas;
6. The creating and reviving

among the people who live in Texas of a desire to know more about the history of Texas and the leaders and pioneers who laid the foundation of our government, first as a Republic and later as a State, and familiarize Texans with various shrines where our forefathers gave life and property to the end that freedom might be preserved to future generations; and

Whereas, It would be necessary to be successful the Celebration should be properly financed, which it seems it would be difficult to do by private subscription;

Therefore, be it resolved by the Lions Club of Austin, Texas, that we fully endorse the movement of the Centennial Celebration and ask the Legislature of the State of Texas to make adequate appropriation for the carrying out of Centennial plans, and that a copy of these resolutions be forwarded to the Governor of the State of Texas, the Lieutenant Governor, the Speaker of the House of Representatives, the Senator and two Representatives from Travis County, and to the Chairman of the Centennial Committee, and that notice of the action of this club be given to the two Austin daily newspapers.

The above resolution was presented to the Austin Lions Club at its regular meeting, Thursday, October 25, 1934, and passed unanimously.

W. E. ALLEN, President.

BOB J. LYLES, Secretary.

#### Committee on Enrolled Bills.

Committee Room,

Austin, Texas, Nov. 5, 1934.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 10 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, Nov. 5, 1934.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 7 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

#### Committee Reports.

Committee Room,

Austin, Texas, Oct. 31, 1934.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 57, A bill to be entitled "An Act to enable any county one or more of the boundaries of which is coincident with any part of the international boundary between the United States and Mexico, or any county contiguous to any county of such described class, to cooperate with the United States of America in the construction, maintenance and operation of flood control works and to permit any county of such described class, or classes, by resolution of the county commissioners' court thereof, to agree: (1) to indemnify and save harmless the United States of America, its officers, agents, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODUL, Vice-Chairman.

Committee Room,

Austin, Texas, Nov. 5, 1934.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Governor's Nominations, to whom was referred the following appointment, have had same under consideration, and I, as vice-chairman of said committee, am instructed to report same back to the Senate with the recommendation that he be in all things confirmed:

To be a member of the State Board of Barber Examiners:

Hon. R. M. Huey of Bell County, Texas, for the next ensuing full statutory term.

SANDERFORD, Vice-Chairman.

Committee Room,

Austin, Texas, Nov. 5, 1934.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 17, A bill to be entitled "An Act releasing certain interest and penalties to the extent of fifty dollars (\$50.00) due on all ad valorem and poll taxes delinquent on

or before August 1, 1934, if paid on or before certain dates and with certain penalties; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the committee substitute, hereto attached, do pass in lieu thereof, and be printed in the Journal.

HOPKINS, Chairman.

By Poage.

C. S. S. B. No. 17.

**A BILL  
To Be Entitled**

An Act releasing certain interest and penalties to the extent of twenty-five dollars (\$25.00) due on all ad valorem and poll taxes delinquent on or before August 1, 1934, if paid on or before January 31, 1935 and with certain penalties; and releasing all interest and penalties due on all ad valorem and poll taxes delinquent on or before August 1, 1934 if paid on or before September 30, 1935 together with eight per cent (8%) interest from date of delinquency to date of payment; repealing conflicting laws, limiting the scope of such release to certain taxes; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That all interest and penalties that have accrued on all ad valorem and poll taxes that were delinquent on or before August 1, 1934, due to the State or to any county, city, town, or village, or to any independent, common, or special school district, or to any road district, levee improvement district, water improvement district and/or to any other defined subdivisions of the State shall be, and the same are, hereby released to the extent of twenty-five (\$25.00) dollars on all taxes due by any one person, firm, corporation, or individual to each separate tax collecting agency, to which such person, firm, corporation and/or individual owed delinquent taxes on the first day of August 1934 provided said ad valorem and poll taxes are paid on or before January 31, 1935.

Sec. 2. That all interest and penalties that have accrued on all ad valorem and poll taxes that were delinquent on or before August 1,

1934, due to the State or to any county, city, town, or village, or to any independent, common, or special school district or to any road district, levee improvement district, water improvement district and/or to any other defined subdivisions of the State shall be, and the same are, hereby released provided said taxes are paid on or before the 30th day of September 1935 together with simple interest at the rate of eight per cent (8%) per annum from the date said taxes first became delinquent until the date of payment thereof, but it is especially provided that the penalties herein provided for shall not be cumulative but the delinquent taxpayer shall have and is hereby granted the option of taking advantage of the provisions of this bill or of paying interest and penalties now provided by law, and it is further provided that if such penalties and interest be not paid on or before September 30, 1935 then in that event all of the penalties and interest now due and all of the penalties and interest that would then be due and payable under the law as it existed on August 1, 1934 shall then become due and payable as if this act had never been passed.

Sec. 3. It is hereby expressly and specifically provided that the penalties and interest hereby released are released only on delinquent, ad valorem, and poll taxes, and on no other taxes.

Sec. 4. Nothing contained in Section 1 and 2 of this act shall be construed as postponing, delaying, or extending the time for the payment of taxes delinquent on or before August 1, 1934, nor as prohibiting, postponing, or delaying the filing or the prosecution of any suits for the enforced collection of the same, provided that all interest and penalties shall be released as provided in Sections 1 and 2 hereof.

Sec. 5. All laws and parts of laws in conflict with the provisions of this act are hereby expressly repealed insofar as the same are in conflict with the provisions hereof.

Sec. 6. The fact that many thousands of our citizens are unable to pay their taxes together with all of the accumulated interest and penalties but would be able to do so before the due date for 1935 taxes if relieved of the first twenty-five (\$25.00) dollars of such interest

and penalties and the shortness of the remaining time of the session creates an emergency and imperative public necessity that the Constitutional rule requiring all bills to be read on three several days in each House, be and the same is hereby suspended, and this act shall be in force and take effect from and after its passage, and it is so enacted.

### SEVENTEENTH DAY.

(Continued.)

Senate Chamber,  
Austin, Texas,  
November 6, 1934.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by President Pro Tem., Walter Woodward.

#### C. S. S. B. No. 4

Pending business was Senator Moore's amendment to C. S. S. B. No. 4.

S. B. No. 4, A bill to be entitled "An Act making appropriations for the establishment, maintenance and operation of the Texas Centennial for the period beginning November 1, 1934, and ending April 30, 1937, and for kindred and allied purposes."

Pending.

#### Senate Bill No. 18.

Senator Blackert sent up the following bill:

By Senator Blackert:

S. B. No. 18, A bill to be entitled "An Act to amend Chapter 13 of Title 49 Revised Civil Statutes of 1925 by adding thereto an additional Article to be known as Article 2790d, authorizing independent school districts located partly in three or more counties of this State to issue refunding warrants in lieu of and in extension of eligible vouchers, defining eligible vouchers which may be so refunded, authorizing the board of trustees of any such district to pass necessary and convenient orders to effect the surrender and cancellation of such eligible vouchers, providing that said refunding warrants may bear interest at a rate not exceeding six (6%) per cent per annum, payable semi-annually, and may be payable serially at such times and in such amounts as may be determined

by said board, providing the maximum maturity date of such warrants, providing for the retiring of said warrants before maturity as well as at maturity validating such original eligible vouchers authorizing the board to levy taxes for the purpose of retiring said refunding warrants, and declaring an emergency."

Read and referred to the Committee on Educational Affairs.

#### C. S. S. B. No. 4

Pending business was C. S. S. B. No. 4.

#### Point of Order.

Senator Purl raised a point of order that the question was on his motion to table the amendment and the substitute.

The Chair Senator DeBerry presiding sustained the point of order.

The motion to table the amendment and the substitute prevailed by the following vote:

#### Yeas—20.

|           |             |
|-----------|-------------|
| Beck.     | Pace.       |
| Blackert. | Parr.       |
| Greer.    | Patton.     |
| Holbrook. | Poage.      |
| Hopkins.  | Purl.       |
| Hornsby.  | Rawlings.   |
| Martin.   | Sanderford. |
| Murphy.   | Small.      |
| Neal.     | Stone.      |
| Oneal.    | Woodul.     |

#### Nays—9.

|          |           |
|----------|-----------|
| Collie.  | Redditt.  |
| Cousins. | Regan.    |
| DeBerry. | Woodruff. |
| Duggan.  | Woodward. |
| Moore.   |           |

#### Absent—Excused.

Fellbaum.

Senator Woodruff sent up the following amendment:

Amend C. S. S. B. No. 4 by striking out in line 27, page 10, the following:

"For the cost of the celebration in the City of Fort Worth."

WOODRUFF.

Senator DeBerry sent up the following amendment as a substitute for the amendment offered by Senator Woodruff: